

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MOHAMED HANAFY,	:	CIVIL ACTION NO. 09-822 (MLC)
	:	
Plaintiff,	:	MEMORANDUM OPINION
	:	
v.	:	
	:	
ROOSEVELT ESTATE, LLC, et al.,	:	
	:	
Defendants.	:	
_____	:	

THE COURT ordering the plaintiff to show cause why the Complaint should not be dismissed for lack of jurisdiction under 28 U.S.C. § ("Section") 1332 (dkt. entry no. 6, Order to Show Cause); and the Court explaining (1) that the plaintiff had failed to properly assert the citizenship of any party, and (2) the proper way to determine citizenship (id. at 1-4); and the Court also advising the plaintiff that if he failed to demonstrate jurisdiction by March 18, 2009, then he would be deemed to be in support of dismissal (id. at 6); and the plaintiff failing to respond to the Order to Show Cause; and

THE COURT thus intending to (1) grant the Order to Show Cause, and (2) dismiss the Complaint for lack of jurisdiction under Section 1332, without prejudice to the plaintiff to recommence the action in state court, as the limitations period for the cause of action is tolled by the filing of a federal complaint, see Jaworowski v. Ciasulli, 490 F.3d 331, 333-36 (3d

Cir. 2007); Galligan v. Westfield Ctr. Serv., 82 N.J. 188, 191-95 (1980); and for good cause appearing, the Court will issue an appropriate Order and Judgment.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge

Dated: March 20, 2009